IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL
ORIGINAL JURISDICTION

Dated: Nainital December 17, 2005
Criminal Misc. Bail Application No. 1174/2005
Order on the bail application of accused.

CRIMINAL SIDE

Shankar Singh S/O Ramji
R/oJantanwala,
Police Station Garhi Cant
District Dehradun ... Applicant

Versus

State of Uttaranchal .... Opposite Party.

Arising out of Case Crime No.205 of 2005
U/S 498-A & 323 of the I.P.C. and ¾ D.P. Act
P.S.Patelnagar,
District Dehradun.

By the court

Hon'ble B.S.Verma, J.

Heard Smt. Pushpa Joshi, learned counsel for the applicant, and learned A.G.A. for the State.

The applicant has applied for bail in Case Crime No. 205/2005, under Section 498-A, 323 of the Indian Penal Code and Sec. ¾ Dowry Prohibition Act, of P.S Patelnagarh, District Dehradun.

Perused the record. It has been contended by the learned counsel for the applicant that the F.I.R. of the incident was lodged with considerable delay; that the case is exclusively triable by the Magistrate and that the accused is detained in jail for more than one month.

Having considered the facts that the injuries sustained by the victim are simple in nature; that the accused is in jail for more than one month and that the offences are triable by the Magistrate of the First Class and the submissions of the learned counsel for the applicnt, I am of the view that it is a case fit for bail.

Let the applicant-accused be released on bail on executing a personal bond and two sureties each in the like amount to the satisfaction of the C.J.M. concerned. A copy of this order be issued to the learned counsel for the applicant today on usual charges.

Dated: 17-12-2005 **(B.S. Verma, J.)**